

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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GARY J. BESSETT,,

Plaintiff,,

v.

09-CV-0735

COMMISSIONER OF SOCIAL SECURITY,

Defendant.  
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THOMAS J. McAVOY  
United States District Judge

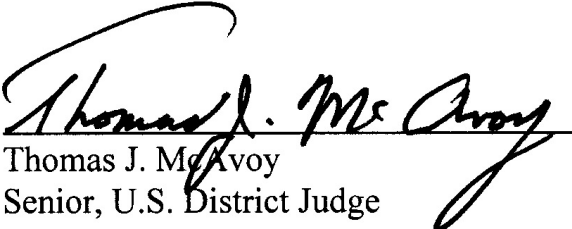
**DECISION and ORDER**

This matter was referred to the Hon. David R. Homer, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(d) of the Local Rules of the Northern District of New York. No objections to the December 14, 2010 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation and Order for the reasons stated therein.

The Defendant's decision denying benefits is hereby AFFIRMED.

IT IS SO ORDERED.

Dated: January 28, 2011

  
Thomas J. McAvoy  
Senior, U.S. District Judge